ABC PROCESS SERVICE, INC. Attorney: JOHN WARE UPTON, ESQ. Index No. 07 CIV 11500 Date Filed / / Office No. JWU010NEPOLS

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ABRAHAM GRAVES

(PLAINTIFF)

against

(DEFENDANT)

THE CITY OF NEW YORK, ETAL;

STATE OF NEW YORK, COUNTY OF NEW YORK SS:

SCHADRAC LAGUERRE being duly sworn deposes and says:

I am over 18 years of age, not a party to this action and reside in the State of New York:

That on the 8 day of January 2009 at 12:19 PM, at

ONE POLICE PLAZA; NY, NY 10038

I SERVED the SUMMONS IN A CIVIL CASE, COMPLAINT AND DEMAND FOR JURY TRIAL upon P.O. PATRICK CAREW (SHIELD # 29910) % N.Y. CITY POLICE DEPT. the defendant herein named by delivering to and leaving a true copy of said SUMMONS IN A CIVIL CASE, COMPLAINT AND DEMAND FOR TRIAL TRIAL with a person of suitable age and discretion: to wit MS. LISA MOORE, AUTHORIZED TO ACCEPT Deponent described Person served as aforesaid to the best of deponents ability at the time and circumstances of service as follows:

Sex FEMALE, Color BLACK, Hair BLACK, app.age 30 YRS, app.ht 5'7", app.wt 160 LBS

That at the time of service aforesaid, I asked Person so served or Person spoken to whether the defendant herein was in the military service of the State of N.Y. or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the defendant is not in the military service of the State of N.Y. or the United States as that term is defined in the statutes or the State of N.Y. or the Federal Soldiers and Sailors Civil Relief Act.

SWORN to before me this 16 day of January2008

SCHADARC LACUERRE License No. 102

1021952

:bb

 $\Box$ 

JAY BRODSKY
Notary Public, State of New York
No. 31-4683271
Qualified in New York County
Commission Expires Feb 2, 2011